

MEMORANDUM

DATE: May 31, 2007

TO: All Members of the Delaware State Senate

FROM: Ms. Daniese McMullin-Powell
Chairperson
State Council for Persons with Disabilities

RE: H.B. 129 [Family Support Coordinating Council]

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 129 which establishes a Family Support Coordinating Council to “provide leadership in assuring that high-quality, research-based, outcome-measured family education, support and early care and education programs are available statewide”. SCPD has the following observations.

First, the focus of the Council is unclear. It appears to cover services from newborns (line 17) through “school age” children (line 11). The bill ostensibly contemplates work on child abuse/neglect prevention (lines 22-25); early care (line 6); and education programs (line 6). It may be preferable to define the intended focus and functions of the Council with more specificity. As written, the Council’s purpose and responsibilities may overlap with other councils that currently exist.

Second, apart from appointment of the Chair, the bill does not address how members are appointed. This is a significant oversight.

Third, the chair is “appointed by the members of the Kid’s Caucus”. The “Kid’s Caucus” is a bipartisan group of legislators interested in children’s issues. See attached April 8, 2007 News Journal article. However, this is ostensibly not an “official” government organization. Analogous legislation generally authorizes nominations or appointments by the Governor, Speaker of the House, or President Pro Tempore of the Senate. Since this is designated as a “permanent” council, it may be preferable to authorize appointment by some “official” or “official body”.

Fourth, SCPD recommends revising line 9 to read as follows: “The Family Support Council shall represent the cultural, economic, health, and geographical diversity ...”. The term “cultural” is broader than “racial”. The term “health” would “capture” children with special health needs.

Fifth, in line 11, parental composition could be improved by adopting the following substitute:

Two (2) parents of school age children, one of whom is the parent of a student with a disability nominated by the Governor's Advisory Council for Exceptional Citizens.

Sixth, there is a technical error in line 12. The word "whom" should be substituted for "which" since this is a personal pronoun relating back to "children".

Thank you for your consideration and please contact SCPD if you have any questions regarding our observations on the proposed legislation.

cc: The Honorable Ruth Ann Minner
Members of the House of Representatives
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

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